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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 KEVIN LEE ESTES,

12 Plaintiff,

13 v.

14 DEPARTMENT OF CORRECTIONS *et al.*,

15 Defendants.
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CASE NO. C08-5749FDB/JRC

ORDER DENYING MOTION TO
FILE EVIDENCE

17 This 42 U.S.C. § 1983 action has been referred to the undersigned Magistrate Judge
18 pursuant to 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates Judges' Rules
19 MJR 1, MJR 3, and MJR 4. The matter is before the Court on plaintiff's motion asking the Court
20 to allow the filing of 186 pages of records (Dkt. # 32). Plaintiff alleges the "evidence" he is
21 trying to file supports his claims.

22 This is not the proper manner in which to admit evidence. Neither the Court, nor
23 opposing counsel can determine what portion of the evidence may be germane to any issue. The
24 Court cannot make rulings on admissibility, or relevance, when documents are submitted in this
25 fashion.
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1 Therefore, the motion is **DENIED**. This should not be taken as an indication that some
2 or all of the documentation may not properly be admitted in support of, or in objection to, a later
3 motion. The documents submitted on March 6, 2009, however, will not be considered in this
4 form.

5 The Clerk's Office is directed to send plaintiff a copy of this order and remove Dkt. # 32
6 from the Court's calendar.
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8 DATED this 2nd day of April, 2009.
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12 J. Richard Creatura
13 United States Magistrate Judge
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